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VALENT U.S.A. CORPORATION AND
SUMITOMO CHEMICAL CO. LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**VALENT U.S.A. CORPORATION AND
SUMITOMO CHEMICAL CO. LTD.**

Case No. CV 08 0720 VRW

Plaintiffs,

V_a

SYNGENTA CROP PROTECTION, INC.

Defendant.

**ADMINISTRATIVE MOTION OF
VALENT U.S.A. CORPORATION AND
SUMITOMO CHEMICAL CO. LTD. TO
FILE EXHIBITS UNDER SEAL**

**SUPPORTING DECLARATION OF
REGINALD D. STEER**

[PROPOSED ORDER]

ADMINISTRATIVE MOTION FOR FILING EXHIBITS UNDER SEAL

1. Papers Submitted for Filing Under Seal in Their Entireties

Pursuant to Civil Local Rules 7-11 and 79-5(b) and (d), Plaintiffs Valent U.S.A. Corporation and Sumitomo Chemical Co. Ltd. hereby request leave of Court to file under seal in their entireties the following documents being lodged with the Clerk:

a. Exhibit 1 to the Declaration of Motoharu Moriya (“Moriya Declaration”) in Support of Plaintiffs’ Response to Syngenta’s Motion to Dismiss the Complaint. Exhibit 1 consists of an April 2, 2007 letter from Jonathan Sullivan to Nobuyuki Shinkai. This communication contains sensitive business information and reflects confidential negotiations between the parties. Accordingly, the exhibit should be filed under seal from public view.

1 b. Exhibit 2 to the Moriya Declaration. Exhibit 2 consists of a March 30, 2007
2 letter from Nobuyuki Shinkai to Jonathan Sullivan. This communication contains sensitive business
3 information and reflects confidential negotiations between the parties. Accordingly, the exhibit should
4 be filed under seal from public view.

5 c. Exhibit 3 to the Moriya Declaration. Exhibit 3 consists of an April 23, 2007
6 letter from Nobuyuki Shinkai to Jonathan Sullivan. This communication contains sensitive business
7 information and reflects confidential negotiations between the parties. Accordingly, the exhibit should
8 be filed under seal from public view.

9 d. Exhibit 4 to the Moriya Declaration. Exhibit 4 consists of a July 31, 2007 letter
10 from Robert Durand and Hans Fricker to Nobuyuki Shinkai. This communication contains sensitive
11 business information and reflects confidential negotiations between the parties. Accordingly, the
12 exhibit should be filed under seal from public view.

13 As required by Civil Local Rule 79-5(b) and (d), Plaintiff is lodging with the Clerk copies of
14 these exhibits for filing under seal.

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1 **SUPPORTING DECLARATION OF REGINALD D. STEER**

2 I, Reginald D. Steer, declare as follows:

3 1. I am an attorney licensed to practice law before this Court and all courts of the State of
4 California, and am a Partner with Akin Gump Strauss Hauer & Feld LLP, counsel for Plaintiffs in the
5 above-entitled action. I submit this declaration in support of the Administrative Motion of Valent
6 U.S.A. Corporation and Sumitomo Chemical Co. Ltd. to File Exhibits Under Seal. The matters stated
7 herein are based upon my personal knowledge, and if called as a witness to testify, I could and would
8 competently do so.

9 2. The representations made above in this Administrative Motion are true and correct to
10 the best of my knowledge and belief.

11 3. Pursuant to Civil L.R. 7-11(a), I attempted today to contact Erik Puknys, counsel for
12 Defendant, in order to reach a stipulation on this matter. I could not reach him.

13 I declare under penalty of perjury under the laws of the United States that the foregoing is true
14 and correct and this declaration was executed this 12th day of June, 2008, at San Francisco, California.

15
16 Dated: June 12, 2008

By Reginald D. Steer
Reginald D. Steer

[PROPOSED] ORDER

Upon good cause shown, IT IS HEREBY ORDERED that the following documents be filed under seal:

1. Exhibit 1 to the Moriya Declaration in Support of Plaintiffs' Response to Syngenta's Motion to Dismiss the Complaint.

2. Exhibit 2 to the Moriya Declaration in Support of Plaintiffs' Response to Syngenta's Motion to Dismiss the Complaint.

3. Exhibit 3 to the Moriya Declaration in Support of Plaintiffs' Response to Syngenta's Motion to Dismiss the Complaint.

4. Exhibit 4 to the Moriya Declaration in Support of Plaintiffs' Response to Syngenta's Motion to Dismiss the Complaint.

IT IS SO ORDERED.

Dated: June , 2008

Chief Judge Vaughn R. Walker